

# WHITE & CASE

1747 PENNSYLVANIA AVENUE N.W.

1155 AVENUE OF THE AMERICAS, NEW YORK

333 SOUTH HOPE STREET, LOS ANGELES

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15 QUEEN'S ROAD CENTRAL, HONG KONG

50 RAFFLES PLACE, SINGAPORE

BIRGER JARLSGATAN 14, STOCKHOLM

CUMHURİYET CADDESİ 12/10, ISTANBUL

ZIYA ÜR RAHMAN CADDESİ 17/5, ANKARA

RECORDATION NO. 15829-C FILED 1428

HAR:CSP

JUN 29 1989 - 1 20 PM

June 29, 1989

INTERSTATE COMMERCE COMMISSION

9-180A010

Office of the Secretary  
Recordations Unit  
Room 2303  
Interstate Commerce Commission  
12th and Constitution Avenue, N.W.  
Washington, D.C. 20423

ATTENTION: Ms. Mildred Lee

Dear Ms. Lee:

Enclosed are an original and one certified true copy of the document described below, to be recorded pursuant to 49 U.S.C. § 11303. This document is a Partial Termination agreement, a secondary document, dated June 29, 1989. The primary document to which this termination agreement is connected is recorded under Recordation No. 15829.

The names and addresses of the parties of the documents are as follows:

The Baltimore and Ohio Chicago  
Terminal Railroad Company, Lessor  
100 North Charles Street  
Baltimore, Maryland 21201

CSX Transportation, Inc., Lessee  
100 North Charles Street  
Baltimore, Maryland 21201

A description of the equipment covered by this document follows:

190 100-ton high-side coal gondola  
cars bearing the road numbers  
CSXT 381,803  
CSXT 381,807 - CSXT 381,811  
CSXT 381,816 - CSXT 381,999

RECEIVED  
JUN 29 1 23 PM '89  
MOTOR OPERATING UNIT

*Concluded  
J. A. [Signature]*

Interstate Commerce Commission  
June 29, 1989  
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A filing fee of \$13.00 is enclosed. Please return the original and any extra copies not needed by the Commission for recordation to the undersigned.

A short summary of the document to appear in the index follows:

Partial Termination Agreement to  
Lease of Railroad Equipment with  
Recordation No. 15829 dated  
June 29, 1989 and covering  
190 100-ton high-side coal gondola  
cars bearing the road numbers  
CSXT 381,803  
CSXT 381,807 - CSXT 381,811  
CSXT 381,816 - CSXT 381,999

Very truly yours,

  
Harriet Ann Robinson

Enclosures

RECORDATION NO. 15829-C FILED 145

JUN 29 1989 -1 20 PM

INTERSTATE COMMERCE COMMISSION

PARTIAL TERMINATION

WHEREAS, the Baltimore and Ohio Chicago Terminal Railroad Company ("B&OCT") and CSX Transportation, Inc. ("CSXT") have entered into an Agreement of Lease dated as of September 2, 1988 (the "Lease");

WHEREAS, an executed counterpart of the Lease was filed with the Interstate Commerce Commission on September 19, 1988 at 12:15 p.m. (Recordation No. 1-5829);

WHEREAS, the Lease covers, inter alia, 190 100-ton high-side coal gondola cars bearing the Lessee's road numbers CSXT 381,803, CSXT 381,807 - CSXT 381,811, CSXT ~~381,816~~ 381,816 - CSXT 381,999 (hereinafter called the "Coal Cars"); and

WHEREAS, B&OCT and CSXT have agreed to terminate the Lease with respect to the Coal cars as of the date hereof;

JCS  
DJU  
R&H

NOW THEREFORE, in consideration of the sum of \$1 and other valuable consideration, the undersigned hereby agree that the Coal Cars are no longer Subject to the Lease. Except as provided in this Partial Termination the terms and provisions of the Lease shall remain in full force and effect.

IN WITNESS HEREOF, the undersigned have caused this Partial Termination to be executed as of the 29th day of June, 1989.

Attest:

THE BALTIMORE AND OHIO CHICAGO  
TERMINAL RAILROAD COMPANY

By:

P. D. Hahn  
Title: Assistant Secretary

By:

James C. Schultz  
Title: Vice-President

Attest:

CSX TRANSPORTATION, INC.

By:

P. D. Hahn  
Title: Assistant Secretary

By:

Steve Hain  
Title: AVP & TREASURER - EQUIPMENT UNIT

STATE OF Maryland)

City  
COUNTY OF Baltimore)

SS.:

On this 26<sup>th</sup> day of June, 1989, before me personally appeared Dennis J. Vossard, to be personally known, who, being by me duly sworn, says that he is

AVP & TREASURER - EQUIPMENT UNIT of CSX Transportation, Inc., that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

H. Darlene McCabe  
Notary Public

My Commission Expires:

July 1, 1990

[Notary Seal]

STATE OF Maryland)  
CITY : ss.:  
COUNTY OF Baltimore)

On this 26th day of June, 1989, before me personally appeared James C. Schultz, to be personally known, who, being by me duly sworn, says that he is Terminal Railroad Vice-President of The Baltimore and Ohio Chicago, that Company said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

  
H. Marlene McCabe  
Notary Public

My Commission Expires: July 1, 1990

[Notary Seal]